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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 PATRICIA SOMERS, as alleged trustee for the
8 Valesco Irrevocable Trust dated June 16, 2004,

9 PLAINTIFF,

10 V.

11 MIDLAND NATIONAL LIFE INSURANCE
12 COMPANY,

13 DEFENDANT.
14

CASE NO.: 2:22-cv-01904-APG-NJK

**ORDER TO EXTEND DEADLINE
TO RESPOND TO PLAINTIFF'S
MOTION FOR LEAVE TO AMEND
HER PETITION (ECF NO. 36)**

(FIRST REQUEST)

15 DONNA E. KELLEY, SCOTT KELLEY and STEVEN KELLEY (together “the
16 Kelleys”), interested parties in this case, by and through their counsel, the law office of
17 ADLER & VILLANUEVA, LLC, and PATRICIA SOMERS, as trustee for the Valesco
18 Irrevocable Trust dated June 16, 2004 (“Trustee”), by and through her counsel of record, the
19 law firm of LEE KIEFER & PARK, LLP (collectively “Parties”), hereby stipulate and agree as
20 follows:
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22 1. On October 9, 2023, the Trustee filed the Motion for Leave to Amend her
23 Petition (“**Motion**”).
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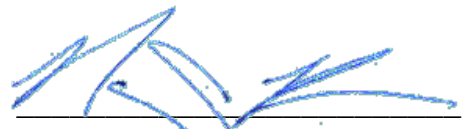
25 2. The current deadline for responses to the Motion is October 23, 2023
26 (“**Response Deadline**”).
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1 3. Due to the allegations in Ms. Somers' Motion, the Kelleys believe it is
2 appropriate to hire their own *individual* legal counsel and require an extension to conduct their
3 search. The Kelleys' requested the extension of time as a professional courtesy and the Parties
4 have agreed that a two-week extension of the Response Deadline is appropriate.
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6 4. The Trustee's agreement to the Kelleys' request for an extension of the
7 Response Deadline does not constitute a waiver of any legal defenses or arguments the Trustee
8 may have in response to any opposition to the Motion filed by the Kelleys. The Trustee
9 expressly reserves the right to assert any and all legal defenses or arguments that may be
10 available to her in response to any opposition filed by the Kelleys.
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12 5. Accordingly, the Parties stipulate and agree that the Response Deadline shall be
13 extended to November 6, 2023. This is the Parties' first request for an extension of this
14 deadline, and such request is not meant for the purpose of causing undue delay.
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16 IT IS SO ORDERED.
17 Date: October 23, 2023

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20 Nancy J. Koppe
21 United States Magistrate Judge
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